

**BROWN RUDNICK LLP**

*Attorneys for the Foreign Representatives*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

**In re:**

**FAIRFIELD SENTRY LIMITED, et al.,**

### Debtors in Foreign Proceedings.

**FAIRFIELD SENTRY LIMITED (IN LIQUIDATION) and FAIRFIELD SIGMA LIMITED (IN LIQUIDATION), acting by and through the Foreign Representatives thereof, and KENNETH KRYS and CHARLOTTE CAULFIELD, solely in their capacities as Foreign Representatives and Liquidators thereof,**

**Plaintiffs,**

**-against-**

**ABN AMRO SCHWEIZ AG a/k/a ABN AMRO (SWITZERLAND) AG, ADLER AND CO PRIVATBANK AG, ALLIANZBANK SPA/UNIFORTUNE CONSERVATIVE SIDE POCKET, ALTERNATIVE INVESTMENT STRATEGIES, ARSENAL SPC, ARSENAL SPC OBO GLASGOW SEG PORT, BANCA ARNER SA, BANCA UNIONE DI CREDITO, BANK HAPOALIM SWITZERLAND LTD., BANK JULIUS BAER & CO. LTD., BANK SARASIN & CIE, BANQUE CANTONALE VAUDOISE, BANQUE CRAMER & CIE SA, BBVA (SUISSE) SA, BCV AMC Defensive AL Fund, BNP Paribas (Suisse) SA, BNP Paribas (Suisse) SA Ex Fortis, BNP Paribas (Suisse) SA Private, BSI AG, BSI Ex Banca Del Gottardo, Caceis Bank Luxembourg, CBB (BVI)/ The Alkima Fund, CBT Gems Low Vol Reg, Compagnie Bancaire Helvetique, Centrum Bank AG (AMS), CLariden Leu Ltd., Corner Banca SA, Credit Suisse AG ZuRiCh, Dexia Banque International A**

## Chapter 15 Case

**Case No. 10-13164 (SMB)**

## Jointly Administered

**Adv. Pro. No. 10-03635  
(SMB)**

**Luxembourg, Dresdner Bank Schweiz, EFG Bank SA  
Switzerland, EFG Eurofinancier D'Invest MCL,  
Endurance Absolute Ltd. Master, Fairfield Investment  
GCI, Fairfield Investment Fund Ltd., Falcon Private Bank,  
FIF Advanced Ltd., Finter Bank ZuRICH, Harmony  
Capital Fund Ltd., HSBC, IHAG Handelsbank AG, Incore  
Bank AG, KARASEL ENHANCED PORTFOLIO, Karla  
Multistrategies Ltd., KBC Investments LTD., LGT Bank  
In Liechtenstein AG, Liechtensteinische LB Reinvest AMS,  
Lloyds TSB Bank Geneva, Lombard Odier Darier Hentsch  
& CIE, Longboat Ltd., Master Capital and Hedge Fund,  
NATIONAL BANK OF KUWAIT, NBK Banque Privee  
Suisse SA, Pictet & CIE, PKB Privatbank AG, Private  
Space Ltd., Quasar Funds SPC a/k/a QUASAR FUND  
SPC CLASS a and class b cgeny, RBC Dexia Investor  
Service Julius Baer SICAV, RBS Coutts Bank Ltd.,  
Richourt AAA Multistrategies, Rothschild Bank AG  
Zurich (Dublin) a/k/a ROTHSCHILD BANK AG,  
Rothschild Bank Geneva (Dublin), Rothschild Lugano  
Dublin a/k/a BANCA PRIVATA EDMOND DE  
ROTHSCHILD LUGANO S.A., Sella Bank AG, SIS  
Seeganinterstetle, Six SIS Ltd., Societe Generale Bank &  
Trust, Soundview Fund, Swisscanto FD Centre Clients  
A/C, T1 Global Fund Ltd., UBS AG New York, UBS AG  
Zurich, UBS Jersey Nominees, Verwaltungs UND Privat-  
Bank AG Aktiengesellschaft (AMS), Vorarlberger Landes  
UND Hypothekenbank Aktiengesellschaft and  
BENEFICIAL OWNERS OF ACCOUNTS HELD IN THE  
NAME OF CGC NA 1-1000,**

**Defendants.**

## STIPULATION

WHEREAS, on January 27, 2017, the Plaintiffs filed a Notice of Dismissal (the “Notice”) (Docket No. 211) dismissing the claims in the above-captioned Adversary Proceeding against Private-Space Ltd (“Private-Space”), and only those claims;

WHEREAS, the Notice does not affect or dismiss any claims made in the above-captioned Adversary Proceeding against any defendant other than Private-Space;

WHEREAS, the Notice contained a typographical error in stating that the claims against Private-Space were dismissed “with prejudice” when those claims by agreement of Plaintiffs and Private-Space were to be dismissed “without prejudice”;

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs, on the one hand, and Private-Space, on the other hand, through their undersigned counsel, as follows:

1. The claims against Private-Space in the above-captioned Adversary Proceeding are dismissed without prejudice.
2. Plaintiffs are hereby authorized to file a Corrected Notice of Dismissal in the form attached hereto as Exhibit A.

Dated: New York, New York  
January 31, 2017

**BROWN RUDNICK LLP**

**GILMARTIN, POSTER & SHAFTO LLP**

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New York, New York 10022  
Telephone: (212) 425-3220

*Attorneys for the Foreign Representatives*

*Attorneys for Private-Space Ltd.*

SO ORDERED:

/s/ STUART M. BERNSTEIN  
HON. STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE

**EXHIBIT A**

**BROWN RUDNICK LLP**  
Seven Times Square  
New York, New York 10036  
David J. Molton  
212-209-4800

*Attorneys for the Foreign Representatives*

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**In re:**

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**Luxembourg, Dresdner Bank Schweiz, EFG Bank SA  
Switzerland, EFG Eurofinancier D'Invest MCL,  
Endurance Absolute Ltd. Master, Fairfield Investment  
GCI, Fairfield Investment Fund Ltd., Falcon Private Bank,  
FIF Advanced Ltd., Finter Bank ZuRiCh, Harmony  
Capital Fund Ltd., HSBC, IHAG Handelsbank AG, Incore  
Bank AG, KARASEL ENHANCED PORTFOLIO, Karla  
Multistrategies Ltd., KBC Investments LTD., LGT Bank  
In Liechtenstein AG, Liechtensteinische LB Reinvest AMS,  
Lloyds TSB Bank Geneva, Lombard Odier Darier Hentsch  
& CIE, Longboat Ltd., Master Capital and Hedge Fund,  
NATIONAL BANK OF KUWAIT, NBK Banque Privee  
Suisse SA, Pictet & CIE, PKB Privatbank AG, Private  
Space Ltd., Quasar FunDs SPC a/k/a QUASAR FUND  
SPC CLASS a and class b cgeny, RBC Dexia Investor  
Service Julius Baer SICAV, RBS Coutts Bank Ltd.,  
Richourt AAA Multistrategies, Rothschild Bank AG  
Zurich (Dublin) a/k/a ROTHSCHILD BANK AG,  
Rothschild Bank Geneva (Dublin), Rothschild Lugano  
Dublin a/k/a BANCA PRIVATA EDMOND DE  
ROTHSCHILD LUGANO S.A., Sella Bank AG, SIS  
Seeganintersettle, Six SIS Ltd., Societe Generale Bank &  
Trust, Soundview Fund, Swisscanto FD Centre Clients  
A/C, T1 Global Fund Ltd., UBS AG New York, UBS AG  
Zurich, UBS Jersey Nominees, Verwaltungs UND Privat-  
Bank AG Aktiengesellschaft (AMS), Vorarlberger Landes  
UND Hypothekenbank Aktiengesellschaft and  
BENEFICIAL OWNERS OF ACCOUNTS HELD IN THE  
NAME OF CGC NA 1-1000,**

**Defendants.**

## CORRECTED NOTICE OF DISMISSAL

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), made applicable by Federal Rule of Bankruptcy Procedure 7041, the plaintiffs hereby dismiss the claims in *Fairfield Sentry Limited (In Liquidation), et al. v. ABN AMRO Schweiz AG, et al.*, Adv. Pro. No. 10-03635 (the “Adversary Proceeding”) against Private-Space Ltd (“Private-Space”), and only those claims, without prejudice and without costs. This notice of dismissal does not affect or dismiss any claims made in the Adversary Proceeding against any defendant other than Private-Space.

Private-Space is dismissed from the Adversary Proceeding, and the clerk of court is directed to amend the caption as listed in Exhibit A hereto.

Dated: January \_\_, 2017

Respectfully submitted,

**BROWN RUDNICK LLP**

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**EXHIBIT A**



**BROWN RUDNICK LLP**  
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 Lloyds TSB Bank Geneva, Lombard Odier Darier Hentsch )  
 & CIE, Longboat Ltd., Master Capital and Hedge Fund, )  
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 Rothschild Bank AG Zurich (Dublin) a/k/a )  
 ROTHSCHILD BANK AG, Rothschild Bank Geneva )  
 (Dublin), Rothschild Lugano Dublin a/k/a BANCA )  
 PRIVATA EDMOND DE ROTHSCHILD LUGANO S.A., )  
 Sella Bank AG, SIS Seeganintersettle, Six SIS Ltd., Societe )  
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 (AMS), Vorarlberger Landes UND Hypothekenbank )  
 Aktiengesellschaft and BENEFICIAL OWNERS OF )  
 ACCOUNTS HELD IN THE NAME OF CGC NA 1-1000, )  
 )  
 Defendants. )  
 )

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